

REMARKS

This is a full and timely response to the outstanding final Office Action mailed May 27, 2004. Upon entry of the amendments in this response, claims 2, 4 - 9, 20 – 25, 27 - 28 and 32 – 37 remain pending. In particular, Applicants have amended claim 25, have added claims 32 – 37, and have canceled claims 26 and 29 - 31 without prejudice, waiver, or disclaimer. Applicants have canceled claims 26 and 29 - 31 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 2, 4 – 9 and 20 - 31 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Camara*. As set forth before, Applicants have canceled claims 26 and 29 - 31 and respectfully assert that the rejection as to these claims has been rendered moot. With respect to the remaining claims, Applicants respectfully traverse the rejection for at least the reasons indicated below.

The Office Action indicates that, with respect to claim 22, *Camara* discloses:

For example, when a user selects one of these devices, such as the scanner, the selected device is shown in FIG. 5. By using/selecting the associated functions or menus of the selected scanner, the user will be enabled to format, modify or alter the displayed image that is retrieved from the selected scanner (Col. 7, lines 12 – 29, see also the Options Tables 1 – 3). (Office Action at page 3).

Although the Applicants generally agree that the above-mentioned description of *Camara* is accurate, Applicants respectfully assert that the foregoing is legally deficient for

the purpose of anticipating claim 22 because the structure/functionality disclosed by Camara and set forth in the Office Action does not correspond to Applicants' claim language.

Applicants also respectfully note that with regard to the scanner functionality disclosed by *Camara* in FIG. 5 and the accompanying disclosure, *Camara* discloses the following:

FIG. 5 shows "my scanner" window 120 that is presented upon selection of the "my scanner" icon 114 in FIG. 4. (Office Action, Col. 5, lines 5 – 7).

The context specific menu 126 is always visible in the scanner window 120. The menu 126 offers options that are tailored to operating the scanner attached to the computer or remotely coupled to the computer via a network. (Office Action, Col. 5, lines 12 – 15).

The menu 126 includes an image type selection 128 that has a pulldown 22 list of various image types from which a user may select. (Camara, Col. 5, lines 21 – 22).

The menu 126 includes a "scan/open" command 136 to direct the scanner to capture the image. When this command is selected, the scanner scans the image in its bed. (Office Action, Col. 5, lines 54 – 56).

Clearly, *Camara* discloses that multiple functions and/or menus are to be selected for providing scanner functionality. This is in direct contrast to Applicants' invention that is recited in the presently pending claims.

Turning now to claim 22, that claims recites:

22. An imaging system comprising:
an intent-based image acquisition system configured to provide intent-based selections to a user and receive digital image data corresponding to a captured image; and
an image-capturing device communicatively coupled to said intent-based image acquisition system;
wherein, in response to the user selecting one of the intent-based selections, the image-capturing device captures an image as digital image data in a format corresponding to the one of the intent-based selections; and
wherein said intent-based image acquisition system is further configured to enable modification of said format responsive to a user input such that the format at which the image is captured is modifiable by the user.
(Emphasis Added).

Applicants respectfully assert that the cited references, either individually or in combination are legally deficient for the purpose of anticipating claim 22. Specifically, Applicants respectfully assert that *Camara* does not teach or otherwise disclose at least “in response to the user selecting one of the intent based selections, the image capturing device captures an image that is a digital image data in a format corresponding to the one of the intent based selections.” Therefore, Applicants respectfully assert that claim 22 is in condition for allowance.

Since dependent claims 7 – 9 and 23 - 24 incorporate all the features/limitations of claim 22, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recites other features/limitations that can serve as an independent basis for patentability. For example, claim 23 recites:

23. The imaging system of claim 22, ***wherein said image-capturing device has an intent-based image acquisition system actuator*** such that, in response to actuating said intent-based image acquisition system actuator, said intent-based image acquisition system provides the intent-based selections to the user.
(Emphasis Added).

Applicants respectfully assert that *Camara* does not teach or otherwise disclose at least the features/limitations emphasized above in claim 23. Although the Office Action addresses claim 23 by indicating that *Camara* discloses launching image capturing device selection screen, Applicants respectfully assert that there is nothing in *Camara* that indicates either expressly or inherently that the launching of the image capturing device selection screen is initiated by “an intent based image acquisition system actuator” of “said image capturing device.” Instead, it appears that *Camara* specifically teaches that the imaging devices window 110 is activated by using an imaging device icon 102, which is not a part of the image-capturing device. For at least this reason, Applicants respectfully assert that at least claim 23 is in condition for allowance.

Applicants also respectfully direct the Examiner's attention to amended claim 25, which recites:

25. A method for providing image data to a user comprising:
 - providing intent-based selections to the user, each of the intent-based selections associated with an intended use of digital image data corresponding to a captured image;
 - in response to the user selecting one of the intent-based selections, capturing digital image data in a format corresponding to the one of the intent-based selections; and
 - in response to a user input, modifying the format at which digital image data is to be captured in response to the user selecting the one of the intent-based selections;*
 - wherein the intent-based selections are provided to the user in response to actuation of an intent-based actuator of an image-capturing device.*

(Emphasis Added).

Applicants respectfully assert that *Camara* is legally deficient for the purpose of anticipating claim 25 because *Camara* does not teach or otherwise disclose at least the features/limitations emphasized above. As mentioned before, Applicants respectfully assert that *Camara* involves the use of an icon for launching an imaging devices window 110. However, Applicants respectfully assert that *Camara* does not teach that “the intent based selections are provided to the user in response to actuation of an intent based actuator of an image capturing device.” Therefore, Applicants respectfully assert that claim 25 and its dependent claims 27 and 28 are in condition for allowance.

Newly Added Claims

Upon entry of the amendments in this response, Applicants have added new claims 32

- 37. Applicants respectfully assert that these claims are in condition for allowance for at least the reason that the cited art fails to teach or fairly suggest all of the limitations in each new claim.

In this regard, claim 32 recites:

32. An imaging system comprising:
an intent-based image acquisition system configured to provide intent-based selections to a user and receive digital image data corresponding to a captured image; and
an image-capturing device communicatively coupled to said intent-based image acquisition system;
wherein said image-capturing device has an intent-based image acquisition system actuator such that, in response to actuating said intent-based image acquisition system actuator, said intent-based image acquisition system provides the intent-based selections to the user.
(Emphasis Added).

Applicants respectfully assert that the cited references, either individually or in combination, are legally deficient for the purpose of anticipating and/or rendering obvious claim 32. Specifically, Applicants respectfully assert that the references do not teach or reasonably suggest at least the features/limitations emphasized above in claim 32. Therefore, Applicants respectfully assert that claim 32 is in condition for allowance. Since dependent claims 33 - 36 incorporate all the features/limitations of claim 32, Applicants respectfully assert that these claims also are in condition for allowance.

With respect to claim 37, Applicants respectfully assert that this claim is a dependent claim that incorporates all the features/limitations of claim 25, the allowability of which is described above. Therefore, Applicants respectfully assert that this claim is in condition for allowance.

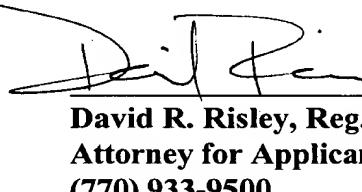
Cited Art Made of Record

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 8/26/04

Stephanie Riley
Signature